

PLANNING COMMISSION MINUTES

Gardner, Kansas

Monday, June 11, 2007

The Planning Commission met in regular session on the above date at the Gardner City Hall, 120 E. Main Street, Gardner, Kansas.

I. Call to Order

Chairman Stephen Koranda called the meeting to order at 7:03 p.m. Commissioners present: Eileen Mertz, Jason Burnett, and Dan Popp. Commissioners absent: Paul Kilgore, Greg Godwin, Eric Schultz. Also present: Community Development Director Fred Sherman; Planner Amy Banks; engineer Matthew Murphy of Landplan Engineering, P.A.; engineer Joel Riggs of Peridian Group, Inc.; applicant David Meyers; and seven interested citizens.

II. Pledge of Allegiance

Chairman Koranda led the Pledge of Allegiance.

III. Approval of Minutes

The minutes of the May 29, 2007, meeting, were approved by unanimous consent.

IV. Consent Items

Commissioner Popp requested that Item No. 3, SP-07-10, be removed from the Consent Agenda.

1. SP-07-07

Consider a revised Site Plan for Sonic Drive-In, an exterior remodel of an existing commercial building located at 626 E. Main Street. The application is filed by Harrison French & Associates, Ltd., on behalf of Briley Sonics, the property owner of record; with engineering services provided by Harrison French & Associates, Ltd.

1. **APPLICANT:** The applicant is Briley Sonics, the business owner of record, with architectural services provide by Harrison French & Associates.
2. **REQUESTED ACTION:** The applicant requests site plan approval for remodeling of a commercial development.
3. **LOCATION:** The property is located at 626 E. Main Street.
4. **EXISTING ZONING:** This property is currently zoned C-3, Commercial District.
5. **ANALYSIS:** The applicant requests site plan approval to remodel a Sonic Drive-In restaurant. The site plan shows the remodeling of the exterior of the existing building and canopies to update the site to a new corporate format. The Sonic Drive-In facility was first constructed on this location in 1988. The building was remodeled in 1998 to add the round canopies and red spiral cones to the front of the building, picture wall signs to the side of the building, and the exposed neon along the edge of all canopies. A site plan was approved in April of 2005 (SP-02-05) for the expansion of the site to the west on an adjacent property. A new service canopy bay and additional on-site employee parking were constructed in the adjacent parcel.

Old vs. New

This submitted plan for proposes to eliminate the exposed neon bands along all of the canopies, as well as remove the spiral red cones at the front of the building. A new arched canopy topped with an aluminum clad tower element, with two new Sonic-logo signs, is proposed to be constructed over the outdoor eating area at the front of the building. The edges of all existing flat service canopies will be finished with a metallic bullnose fascia with L.E.D. reveals "stall stars" accents. New L.E.D. reader signs are also proposed to be added over the front (south) windows of the building. The existing wall parapets will be extended on all sides of the building, using materials similar to the existing materials on the front and sides of the building, with vinyl material on the back of the building. The extensions of the parapets will provide needed screening for the existing roof-top mechanical equipment. The Sonic Drive-In located at 1265 E. 119th Street (southwest corner of 119th Street and Ridgeview Road) in Olathe has been updated with a similar building and signage scheme.

Signage

Currently, this site contains a free standing pole sign with a reader board, in addition to some on-site directional signs and wall mounted picture boards on the east and west sides of the building. The picture boards were added to the building with the 1998 updates to the site and building.

The existing free standing pole sign is a legal non-conforming sign. Though it does not conform to the current adopted sign code standards for height and size, it did conform to signage standards at the time it was constructed.

The current sign does allow up to three separate signs on a building, or two signs plus a detached on-site sign. Staff has discussed with the applicant the potential of eliminating the existing pole sign with the addition of the new arched element on top of the new arched front canopy. The applicant has indicated that the existing pole sign is currently in a lease situation with a few years remaining on the lease, and they would be willing to consider the removal of the pole sign when the lease expires.

6. **STAFF RECOMMENDATION:** Though the proposed signage package does conform to the general spirit of the adopted sign code, some modifications and/or changes should be considered with this site plan application. While the sign elements on the existing and proposed building elevations exceeds the technical requirements of the adopted sign code, some of the proposed improvements are simply updates to sign elements that were allowed to be added to the building in 1998, before there was a formal site plan approval process before the Planning Commission. The two new L.E.D. reader signs proposed over the front (south) windows should not be allowed, because they are new signage elements to the existing building. Replacement of the picture boards on the east and west sides of the building (note #15 on the plan) should be allowed as part of this site plan approval. The new arched tower element could be viewed as a replacement for the existing pole sign, even though the adopted sign code does allow for two signs on the building and one free standing sign. A new detached monument sign that conforms to the adopted sign code provision should be allowed in the future, when the non-conforming pole sign is removed.

Staff recommends that the Planning Commission approve the Site Plan for the Sonic Drive-In Retrofit (SP-07-07), with the following stipulations:

- a. The development shall be in accordance with Exhibit "A" (Site Plan) and Exhibit "B" (Building Elevations), with the elimination of the two L.E.D. reader signs above the front windows (note #31), which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
- b. The construction of the arched tower element (note #3) shall be permitted concurrently or subsequent to the removal of the existing free-standing pole sign on the site.

2. SP-07-08

Consider a Site Plan for Tumbleweed Saloon Addition, an addition to an existing commercial building located at 615 E. Main Street. The application is filed by David Meyer; with engineering services provided by White Associates.

1. **APPLICANT:** The applicant is David Meyer; with engineering services provided by White Associates.
2. **REQUESTED ACTION:** The applicant requests approval of a site plan for an addition to a commercial building.
3. **LOCATION:** The property is located at 615 E. Main St.
4. **EXISTING ZONING:** The property is currently zoned C-2, General Business District.
5. **ANALYSIS:** The applicant requests approval of site plan for an addition to a commercial building to make some much needed improvements to the restroom facilities and add an outdoor patio area. The new ADA restrooms will be located in the addition and the patio will be located immediately south of the restrooms.
The materials proposed for the addition are corrugated metal (matching what is currently on the sides and rear of the building) or possibly stucco. This property is located within the Strip District of the Main Street Corridor; therefore it should adhere to the Corridor Design Guidelines outlined in the City of Gardner Main Street Corridor Plan. This would prohibit the use of corrugated metal on the north and east sides of the addition. Staff agrees that the addition should match the rest of the building, but not with corrugated metal. The addition should either match or complement the brick on the front of the existing building. Alternately, the brick on the front and sides of the existing building could be changed to match or complement the materials selected for the addition. The materials approved by the Corridor Design Guidelines include brick, wood, native stone, or tinted and textured concrete masonry units.
6. **STAFF RECOMMENDATION:** Staff recommends approval of a site plan for Tumbleweed Saloon Addition (SP-07-08); subject to the following stipulations:
 - a. The development shall be in accordance with Exhibit "A" (Site Plan) which is filed in the office of the Planning Commission Secretary and which is incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
 - b. The front (north) and east sides of the addition shall not be of corrugated metal but shall match or complement the brick on the front of the existing building.

4. FP-07-05

Consider a Final Plat for Cottage Park West, 19th Plat, a .21 acre multi-family residential development located at 861–865 S. Woodson Court. The application is

filed by 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.

1. **APPLICANT:** The applicant is 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a tract of land containing approximately 0.212 acres for a planned multi-family residential development.
3. **LOCATION:** The property is located at 861 to 865 S. Woodson Court.
4. **EXISTING ZONING:** The property is zoned RP-3, Planned Garden Apartment District (Z-03-01).
5. **ANALYSIS:** The applicant requests approval of a final plat for Cottage Park West, 19th Plat. Approval for this replat is requested to divide the individual units of the multi-family building that are currently under construction into separate lots for sale.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Cottage Park West, 19th Plat (FP-06-25), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with no conditions.

5. FP-07-06

Consider a Final Plat for Cottage Park West, 20th Plat, a .27 acre multi-family residential development located at 856–862 S. Woodson Court. The application is filed by 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.

1. **APPLICANT:** The applicant is 1st Choice Builders, L.L.C.; with engineering services provided by Green Engineering Services, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a tract of land containing approximately 0.267 acres for a planned multi-family residential development.
3. **LOCATION:** The property is located at 856 to 862 S. Woodson Court.
4. **EXISTING ZONING:** The property is zoned RP-3, Planned Garden Apartment District (Z-03-01).
5. **ANALYSIS:** The applicant requests approval of a final plat for Cottage Park West, 20th Plat. Approval for this replat is requested to divide the individual units of the multi-family building currently under construction into separate lots for sale.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Cottage Park West, 20th Plat (FP-06-25), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with no conditions.

Motion Popp, second Burnett, to forward the Final Plat for Cottage Park West, 19th Plat, (FP-07-05) and the Final Plat for Cottage Park West, 20th Plat, (FP-07-06) to the City Council with recommendations for approval of the easements and rights-of-way; and to approve the Site Plan for Sonic Drive-In (SP-07-07) and the Site Plan for Tumbleweed Saloon Addition (SP-07-08), each subject to staff recommendations.

Motion to Forward Carried: 4 to 0 Aye (Kilgore, Godwin, Schultz: Absent)

Motion to Approve Carried: 4 to 0 Aye (Kilgore, Godwin, Schultz: Absent)

V. Agenda Items

(3).SP-07-10

Consider a Site Plan for Auto Zone, a 6,786 sq.ft. commercial building to be located at 625 E. Main Street. The application is filed by Auto Zone, Inc.; with engineering services provided by Landplan Engineering, P.A

Director Sherman presented the staff report.

1. **APPLICANT:** The applicant is Auto Zone, Inc., owner of record; with engineering services provided by Landplan Engineering, P.A.
2. **REQUESTED ACTION:** The applicant requests approval of a site plan for a 6,786 sq. ft. commercial building.
3. **LOCATION:** The property is located at 625 E. Main St.
4. **EXISTING ZONING:** The Planning Commission approved Z-07-04 to rezone this property from M-2 (General Industry District) to C-2 (General Business District) on May 29, 2007. This rezoning will not be in effect until approved by City Council on June 18, 2007.
5. **ANALYSIS:** The applicant requests site plan approval for Auto Zone, a 6,786 sq. ft. commercial building.

The proposed building is constructed of integrated color split-face concrete block with a brick kneewall and a CMU course to match the color of the kneewall. The roofline of this building includes pre-finished metal coping and is broken up by a taller EIFS parapet over the entrance. The entrance is surrounded by windows that are shaded by a standing-seam metal awning.

The 30 parking stalls shown exceed the City's requirement of 27 stalls for a commercial building of this square footage. While the proposed landscape plan meets the requirements of the Zoning Ordinance, this property is located in the Main Street Corridor, and as such should have an additional tree planted along the eastern edge of the property to meet the Corridor Design Guidelines. Revised elevations show two attached signs on the building; one on the parapet and another on the eastern façade. There will also be a detached monument sign. The attached signs meet current regulations, but staff is still working out details of the detached monument sign with the applicant. A revised site plan has been proposed, which shows the eastern row of parking spaces shifted a few feet to the south, allowing a larger square footage sign to be set back farther from the road. Staff feels that this is an appropriate compromise, provided that the curb inlet (not shown in the revised plan) is still in place.

6. **STAFF RECOMMENDATION:** Staff recommends approval of a site plan for Auto Zone (SP-07-10); subject to the following stipulations:
 - a. The development shall be in accordance with Exhibit "A" (Site Plan) and Exhibit "B" (Building Elevations) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
 - b. At least three trees shall be planted along the eastern edge of the property.
 - c. The detached monument sign shall meet all regulations of the Zoning Ordinance.
 - d. KDOT approval shall be obtained for reconstruction of all access points to U.S. 56 Highway.
 - e. Access to U.S. 56 Highway from this property may be limited to right-turn-only movements in the future if the highway is improved or at such time as the City and/or KDOT determine that restricting turning movements is needed to alleviate safety or operational problems.
 - f. Final approval of storm sewers is subject to review of design calculations at submittal of building permit plans.
 - g. Prior to the issuance of a Certificate of Occupancy, all rooftop and ground mounted mechanical equipment shall be screened from view from adjacent right-of-way with an architectural and/or landscape treatment that is compatible with the building architecture.

Commissioner Popp asked why the parking was in the front of the building since the site was within the Main Street Corridor Plan area, which encouraged buildings to be closer to the street, with parking on the sides and rear of the sites. Director Sherman discussed the Main Street Corridor Plan and the various designated districts and guidelines. He noted that the Main Street Corridor Plan was not an adopted code, but a set of guidelines and policies. He explained that City staff and the commission sometimes had to find an appropriate balance between the needs of the proposed use for a particular site and the realistic intent of the Main Street Corridor Plan guidelines.

Chairman Koranda stated that it seemed reasonable to allow new construction in developed areas to be similar in design and layout to the surrounding existing sites.

Planner Banks explained that the subject site plan was located in the Strip District of the Main Street Corridor Plan, which did have provisions for limited parking in the front of the building.

Commissioner Popp expressed his concerns about the number and sizes of the signs indicated for the subject site. Director Sherman explained that all of the proposed signs were within the parameters of the existing sign codes. He added that the applicant had not yet definitively decided where the monument sign would be placed, but it would meet the regulation requirements.

Commissioner Popp stated that the indicated signage was excessive in size and number for the proposed building, and he suggested adding a condition of approval disallowing the sign indicated on the east side of the building.

Chairman Koranda invited comments from the applicant.

Trey Smallwood of Auto Zone, Inc., stated that the proposed signage for the project met all of the requirements in the Gardner City Code and the company would prefer to place all of the signs indicated on the site plan.

Motion Popp, second Mertz, to approve the Site Plan for Auto Zone (SP-07-10), located at 625 E. Main Street, subject to staff recommendations and one additional condition of approval:

- a. The development shall be in accordance with Exhibit "A" (Site Plan) and Exhibit "B" (Building Elevations) which are filed in the office of the Planning Commission Secretary and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
- b. At least three trees shall be planted along the eastern edge of the property.
- c. The detached monument sign shall meet all regulations of the Zoning Ordinance.
- d. KDOT approval shall be obtained for reconstruction of all access points to U.S. 56 Highway.
- e. Access to U.S. 56 Highway from this property may be limited to right-turn-only movements in the future if the highway is improved or at such time as the City and/or KDOT determine that restricting turning movements is needed to alleviate safety or operational problems.
- f. Final approval of storm sewers is subject to review of design calculations at submittal of building permit plans.
- g. Prior to the issuance of a Certificate of Occupancy, all rooftop and ground mounted mechanical equipment shall be screened from view from adjacent right-of-way with an architectural and/or landscape treatment that is compatible with the building architecture.
- h. There shall be no signage on the east side of the building.

Motion to Approve Carried: 4 to 0 Aye (Kilgore, Godwin, Schultz: Absent)

1. SP-07-11

Consider a Site Plan for Redbox, a rental kiosk located on an existing commercial site located at 26240 W. 174th Street. The application is filed by Ultimate Construction Solutions, L.L.C., on behalf of McDonald's Corporation, the property owner of record; with architectural services provided by Lingle Design.

Director Sherman presented the staff report.

1. **APPLICANT:** The applicant is Ultimate Construction Solutions, L.L.C., on behalf of McDonald's Corporation, owner of record; with architectural services provided by Lingle Design.
2. **REQUESTED ACTION:** The applicant requests approval of a site plan for a DVD rental kiosk on an existing commercial site.
3. **LOCATION:** The property is located at 26240 W. 174th Street.
4. **EXISTING ZONING:** The property is currently zoned C-3, Commercial District (Z-94-06 Ord 1798).
5. **ANALYSIS:** The applicant requests site plan approval to add a DVD rental kiosk in the front of McDonald's restaurant. The site plan indicates the placement of the kiosk and the dimensions of its footprint, but provides little other relevant information. Staff requested detailed elevations and a landscape plan from the applicant, but the applicant has not submitted these materials. The applicant also submitted a photograph indicating the location and general appearance of the proposed kiosk.

Other Communities

Many McDonald's restaurants in Johnson County have Redboxes, but to staff's knowledge these are all located inside restaurants. At the April 23, 2007, meeting of Overland Park's Planning Commission, six site plan applications for outdoor Redbox kiosks were denied because they did not meet their adopted design standards, landscape requirements, or signage requirements. Outdoor Redboxes have been allowed in many locations across the country, but staff is not aware of any in Johnson County.

Main Street Corridor Guidelines

Because this site is within the Main Street Corridor Overlay District, it is being reviewed under the Corridor Design Guidelines of the Main Street Corridor Plan. These guidelines discuss the importance of the use of complementary "scale, style, form, size, color, and materials which achieve harmony and design continuity." While none of the information submitted by the applicant describes the materials to be used, the style, form, and colors may be ascertained from the submitted photograph. In staff's opinion, the proposed kiosk would not achieve harmony nor design continuity. This McDonald's formerly had a red and white color scheme that might have been more harmonious with the proposed kiosk, but the owner elected to change the color scheme at the time of the addition to the building approved by the Planning Commission with SP-04-12 in November of 2004.

The design guidelines within the Main Street Corridor Plan also discuss the importance of orienting buildings toward the street. While this is not an entire building, staff believes that the kiosk is large enough that orientation should still be considered. If it was to be located elsewhere on the property, its proposed orientation might be appropriate, but as it is proposed to be located directly in front of the building, the proposed DVD kiosk should be oriented similarly, either as a free-standing kiosk or as a kiosk with external access but incorporated into the façade of the building. Another factor to consider is that this site is one of the first to be seen by visitors to the City after turning west onto Main Street from Interstate 35. The Planning Commission should discuss what standards it wishes to hold properties to in this area.

Landscaping and Signage

In conversation with the applicant, the plans were indicated to relocate any shrubs that would be displaced by the proposed kiosk; however there is no landscape plan to verify this. No additional landscaping is proposed, but the applicant has indicated that he has some flexibility regarding this issue. Staff has no information whether or not this kiosk has any proposed signage or where proposed signs might be located, other than what is denoted on the photo renderings submitted with this application.

Traffic and Safety

Staff does not believe that any traffic problems would be created by the addition of the proposed kiosk, but a user of this kiosk that is not also an indoor patron of the McDonald's restaurant will likely park along the curb to use the kiosk. One factor that might be influencing the outdoor placement of the proposed kiosk is that it would be accessible 24 hours a day, whereas the McDonald's restaurant is not open 24 hours a day. Staff also notes that, while the kiosk would not block the view entirely, its proposed location restricts the view of one of the main entrances to the restaurant.

Ancillary Uses to Commercial Development

Gardner's existing zoning regulations and design guidelines provide only general direction in terms of development standards for the placement of ancillary uses to commercial development. Ancillary uses could include the placement of vending beverage machines, ice machines, propane storage racks, as well as attached or free standing ATM's or other types of kiosks, Fed Ex or other types of drop boxes, as well as outdoor seasonal sales. Several bank sites within the City of Gardner have incorporated free-standing ATMs with drive-thru access into their approved site plans. There are very few situations where free-standing ancillary uses like this have been placed at the entrances of buildings, outside the downtown Gardner area.

6. **STAFF RECOMMENDATION:** If the Planning Commission is comfortable that staff's concerns will be properly addressed, staff recommends that this application for a site plan for Redbox (SP-07-11) be approved, subject to the following stipulations:
 - h. The development shall be in accordance with Exhibit "A" (Site Plan) which is filed in the office of the Planning Commission Secretary and which is incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
 - i. The applicant shall submit the required elevations and landscape plan prior to construction, both of which shall meet all regulations and standards of the Zoning Ordinance.
 - j. The materials selected for the kiosk shall complement and be of a similar quality to those used on the McDonald's restaurant.
 - k. Landscaping shall be added to sufficiently screen the kiosk from the street.
 - l. Any signs shall be permitted separately and are subject to all regulations and standards of the Zoning Ordinance.

Chairman Koranda invited questions and comments from the commissioners. The commissioners discussed the incongruous appearance of the proposed kiosk and its proposed location at length.

Director Sherman and the commissioners discussed future City policies regarding free-standing kiosks.

Chairman Koranda stated that the proposed location was inappropriate because it was directly in front of the restaurant entrance, the existing landscaping would be destroyed or disturbed, and the elevations and general appearance of the proposed kiosk contrasted sharply with the existing restaurant elevations. All of the commissioners agreed with Chairman Koranda.

Motion Mertz, second Popp, to deny the Site Plan application for Redbox (SP-07-11), located at 26240 W. 174th Street.

Motion to Deny Carried: 4 to 0 Aye (Kilgore, Godwin, Schultz: Absent)

Director Sherman presented the staff reports for Item No. 2, FP-07-04, and Item No. 3, SP-07-09, concurrently.

2. FP-07-04

Consider a Final Plat for Meadowbrook Shoppes, a 6.1 acre commercial development located in the 2000 block of E. Santa Fe Street. The application is filed by Star Development Corporation; with engineering services provided by Peridian Group, Inc.

1. **APPLICANT:** The applicant is Star Acquisitions, L.L.C., the contract purchaser of record; with engineering services provided by Peridian Group, Inc.
2. **REQUESTED ACTION:** The applicant requests final plat approval for a three (3) lot commercial development.
3. **LOCATION:** The 6.1 acre property is located in the 2000 block of E. Santa Fe Street, west of Cedar Niles Road (extended).
4. **EXISTING ZONING:** This property is currently zoned C-3, Commercial District (Ord. 1679).
5. **ANALYSIS:** The applicant requests approval of Meadowbrook Shoppes, a replat of the vacated southerly portion of Cedar Niles Road and Lots 5 and 8 of Gardner Truck Plaza, Third Plat. Part of this property is the former Loves Homes mobile home sales lot. This final plat is submitted for the construction of a new commercial complex (SP-07-09).
A portion of the Cedar Niles Road rights-of-way north of Interstate 35 Highway was vacated with passage of Ordinance 2235. Under that action, the area of the vacated Cedar Niles Road was retained as a utility easement. With the submittal of this final plat, specific utility easements will be dedicated in addition to showing the extent of the existing easement(s) filed by separate instrument. Of note is the location of a 20 foot wide gas easement and as an additional 15 foot utility easement located along the eastern extent of the vacated Cedar Niles Road rights-of-way. The gas line easement contains a high pressure line that provides natural gas from a transmission pipeline, located south of and parallel to Interstate 35, to the Gardner Energy Center. The 15-foot utility easement to the east of this 20 foot gas line easement is needed as a reserve to extend an additional gas line to the Gardner Energy Center, if needed. Much of the land area of the vacated Cedar Niles Road rights-of-way is not needed for utilities and can be utilized as developable building space.
6. **STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the Final Plat for Meadowbrook Shoppes (FP-07-04), and forward the item to the City Council with a recommendation to accept the easements and rights-of-way, with the following stipulation:
 - a. Prior to recording of the final plat, the required excise tax shall be paid.

3. SP-07-09

Consider a Site Plan for Meadowbrook Shoppes, a 41,000 sq.ft. commercial building to be located in the 2000 block of E. Santa Fe Street. The application is filed by Star Development Corporation; with engineering services provided by Peridian Group, Inc.

1. **APPLICANT:** The applicant is Star Development Corporation; with engineering services provided by The Peridian Group, Inc.
2. **REQUESTED ACTION:** The applicant requests approval of a site plan for a 41,000 square foot commercial development.
3. **LOCATION:** The property is located in the 2000 block of E. Santa Fe Street, east of Cedar Niles Road (extended).
4. **EXISTING ZONING:** The property is currently zoned C-3, Commercial District (Ord. 1679).
5. **ANALYSIS:** The applicant requests approval of site plan for Meadowbrook Shoppes, a three lot 41,000+ square foot commercial development. The site is the former Love Homes location, and is bordered by the Super 8 Motel to the northeast, and by Interstate Highway 35 to the east and south. To the west is the developed Wal-Mart site.
Building Design
Conceptual building elevations were submitted with the subject site plan for the strip retail building along the southern portion of the property. The site plan also includes two "pad site" types of development, one being a 3,350 square foot bank at the north end of the site, and at the west end of the site a 4,275 square foot building with a drive through.
The conceptual building elevations indicate that all four sides of the retail buildings will be finished with a combination of building materials, including the use of awnings on the front and rear building elevations.

Parking and Landscaping

The Gardner Zoning Ordinance bases the required parking for restaurants at one parking space per four seats, plus one space for every two employees. The specifics for the proposed pad site with a drive-thru are not known at this time. The submitted plan denotes 20 total parking spaces allocated for this use, which would meet the minimum parking amount for a standard retail operation based on one parking space per 250 square feet of building area. The submitted conceptual landscaping plan meets City standards and features a variety of species distributed throughout the site.

6. **STAFF RECOMMENDATION:** Staff recommends approval of the site plan for Meadowbrook Shoppes (SP-07-09), subject to the following conditions:
 - a. The development shall be in accordance with Exhibit "A" (Site Plan) and Exhibit "B" (Building Elevations) which is filed in the office of the Planning Commission Secretary and which is incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
 - b. Final layout of utilities is contingent upon review of design calculations at submittal of construction plans.
 - c. No signage is approved with the site plan. Separate sign permits are required prior to the installation of any additional signage.
 - d. Prior to the issuance of a sign permit for any pole sign permitted in the C-3 District, Federal Aviation Administration approval is needed regarding the proposed sign's height and possible need for a beacon in regards to the proximity to New Century AirCenter.
 - e. Prior to the issuance of a Certificate of Occupancy, all rooftop and ground mounted mechanical equipment shall be screened from view with an architectural and/or landscape treatment that is compatible with the building architecture.

Director Sherman and Commissioner Popp discussed the proposed elevations, which would be tied to the approved site plan as submitted.

Chairman Koranda asked what changes to an approved site plan would necessitate resubmittal to the Planning Commission. Director Sherman explained that any significant changes in building footprints, parking lot layouts, architectural schemes, etc., would require Planning Commission approval.

Commissioner Mertz suggested that the Planning Commission could set conditions of approval regarding any of their specific concerns, such as architectural designs and parking lot layouts.

Chairman Koranda invited comments from the applicant.

Joel Riggs of Peridian Group, Inc., engineer for the applicant, gave a presentation.

Chairman Koranda invited questions from the commissioners.

Commissioner Popp agreed with Commissioner Mertz that the Planning Commission should set additional conditions of approval.

Chairman Koranda asked if there could be more landscaping placed along the back sides of the buildings along Interstate 35. Mr. Riggs explained that they would try to incorporate more landscaping, while considering the constraints of the indicated access drive and the City's utility easements.

Commissioner Popp asked if the awnings indicated on the back sides of those buildings would conflict with large delivery trucks utilizing the rear access drive. Mr. Riggs stated that there would be a sidewalk abutting the buildings, under the awnings, but he would ensure that the awnings did not extend over the drive.

Chairman Koranda asked if the individual signs on the back sides of those buildings could all be uniform in size, font, type, color, etc. Mr. Riggs explained that many of the

individual tenants could be national companies with their own preferred brand images. Director Sherman added that, while the current sign codes did not have provisions to require the suggested uniformity, the developer of the subject property could set sign standards as stipulations within his development.

The commissioners and Director Sherman briefly discussed the need to begin revisions of the sign regulations.

Motion Mertz, second Popp, to forward the Final Plat for Meadowbrook Shoppes (FP-07-04) to the City Council with a recommendation for approval of the easements and rights-of-way; subject to staff recommendations.

Motion to Forward Carried: 4 to 0 Aye (Kilgore, Godwin, Schultz: Absent)

Motion Mertz, second Burnett, to approve the Site Plan for Meadowbrook Shoppes (SP-07-09), located in the 2000 block of E. Santa Fe Street, east of Cedar Niles Road (extended), subject to staff recommendations and two additional conditions of approval:

- a. The development shall be in accordance with Exhibit "A" (Site Plan) and Exhibit "B" (Building Elevations) which is filed in the office of the Planning Commission Secretary and which is incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
- b. Final layout of utilities is contingent upon review of design calculations at submittal of construction plans.
- c. No signage is approved with the site plan. Separate sign permits are required prior to the installation of any additional signage.
- d. Prior to the issuance of a sign permit for any pole sign permitted in the C-3 District, Federal Aviation Administration approval is needed regarding the proposed sign's height and possible need for a beacon in regards to the proximity to New Century AirCenter.
- e. Prior to the issuance of a Certificate of Occupancy, all rooftop and ground mounted mechanical equipment shall be screened from view with an architectural and/or landscape treatment that is compatible with the building architecture.
- f. Architectural designs of the two pad site buildings shall be similar to the architectural designs of the strip center buildings as indicated in the approved site plan elevations.
- g. There shall be additional landscaping installed along the rear sides of the strip buildings as allowed by the constraints of the utility easements.

Motion to Approve Carried: 4 to 0 Aye (Kilgore, Godwin, Schultz: Absent)

VI. Adjourn

Motion Popp, second Burnett, to adjourn the meeting at 8:40 p.m.

Motion to Adjourn Carried: 4 to 0 Aye (Kilgore, Godwin, Schultz: Absent)

